



EV323269669US

10007.000110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Robert F. Terry	Confirmation No.: 6181
Serial No. 09/827,451	Examiner: Barron Jr., Gilberto
Filing Date: April 6, 2001	
Title: SYSTEM AND METHOD FOR REAL TIME MONITORING AND CONTROL OF A COMPUTER MACHINE ENVIRONMENT AND CONFIGURATION PROFILE	Art Unit: 2132 Atty. Docket No. 10007.000110

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SEP 04 2003

Technology Center 2100

Mail Stop Petition  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

PETITION FOR SUSPENSION OF ACTION

UNDER 37 C.F.R. 1.103(a)

Sir:

This is a petition for suspension of action under 37 C.F.R. 1.103(a), for the above-referenced patent application.

The petition fee for \$130.00, as set forth in 37 C.F.R. 1.17(h), is provided in the enclosed check #1050.

The requested length of suspension of action, under this petition, is six (6) months.

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Suspension of action is necessary based upon a showing of good and sufficient cause for suspension of action.

Specifically, the inventor has not communicated with the undersigned attorney. The undersigned attorney has attempted to contact the inventor, and the undersigned attorney has not successfully been able to communicate with the inventor. The inventor's cooperation is necessary and essential for claim amendments that will be made for this application and for further successful prosecution of this patent application. The inventor has not cooperated with the undersigned attorney on matters concerning this patent application. The undersigned attorney requests for suspension of action of this patent application, in order to obtain additional time to locate the inventor and to obtain the cooperation of the inventor for claim amendments for this patent application for further successful prosecution of this patent application.

Additionally, the inventor has not indicated an intention to continue the prosecution of this patent application. The undersigned attorney requests for suspension of action of this patent application, in order to obtain additional time to locate and communicate with the inventor, so that the undersigned attorney can determine if the inventor wishes to continue prosecution of this patent application or if the inventor wishes to abandon this patent application.

Additionally, the inventor owes the undersigned attorney the amount of \$31,529.19 in unpaid legal fees. This unpaid amount of \$31,529.19 by the inventor has caused unfair hardship and undue hardship to the undersigned attorney. The inventor has paid the undersigned attorney for all unpaid legal fees. The undersigned attorney does not have funds to loan to the inventor for payment of fees

that will be due in the U.S. Patent & Trademark Office for this patent application. Additionally, the undersigned attorney is not able to prosecute this application in the USPTO without payment of legal fees, and will incur additional unfair hardship and undue hardship if prosecution of this application in the USPTO is continued by the undersigned attorney without payment of legal fees from the inventor. The undersigned attorney requests for suspension of action of this patent application, in order to obtain payment of unpaid legal fees from the inventor, and in order to pay fees that will be due in the USPTO for this application.


Approval of this petition is respectfully requested.

CONTACT INFORMATION


If the Examiner or Commissioner has any questions or needs any additional information, the Examiner or Commissioner is invited to telephone the undersigned attorney at (805)681-5078.

Date: August 29, 2003

Respectfully submitted,  
Robert F. Terry

  
By: Arnold M. de Guzman  
Attorney for Applicant  
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Please send correspondence to:  
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CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. 1.10.			
Signature:			
Typed or Printed Name:	Arnold M. de Guzman, Reg. No. 39,955	Dated:	Aug. 29, 2003
Express Mail Mailing Number (optional):	EV 323269669 US		